

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

JOHANNES M. PLOEG, et al.,

Plaintiffs,

v.

Hon. Paul L. Maloney

JENKINS ESTATES LTD, et al.,

Case No. 1:24-cv-00089

Defendants.

ORDER TO SHOW CAUSE

The court records reveal that Plaintiffs served a summons and complaint on Defendants Jenkins Estates LTD and David Jon Jenkins on February 1, 2024. (ECF Nos. 6, 7.) Subsequently, Waivers of Service were returned executed indicating service on February 9, 2024. (ECF Nos. 8, 9.) Federal Rule of Civil Procedure 4(d)(3) provides that, “A defendant who, before being served with process, timely returns a waiver need not serve an answer to the complaint until 60 days . . .” Here, the waivers were returned after the Defendants were served with process. As such, Defendants’ response was due February 22, 2024. Defendants have failed to file a response within the time allowed in the court rules. Therefore:

IT IS HEREBY ORDERED that Defendants shall, not later than March 4, 2024, show cause in writing why the Court should not direct Plaintiffs to move for entry of default against Defendants Jenkins Estates LTD and David Jon Jenkins.

Date: February 26, 2024

/s/ Sally J. Berens
SALLY J. BERENS
U.S. Magistrate Judge